

April 8, 1975

SENATOR DUIS: Mr. President, members of the Legislature, I'm concerned regarding what action the Legislature took. As a matter of fact at the time the motion was made by Senator Warner, I questioned that particular motion took any definite action or not, so therefore I would request of the Clerk that they read the action that was taken and the motion that was made by Senator Warner so that we might reappraise what the action, if any, that the Legislature took at that particular time. I do recall questioning at that time, and I'm sure that Senator Nichol didn't think too well of me at that moment, but I did this for the basis that I thought sure that there would be a law suit filed and that some definite action should be taken by this Legislature. Therefore, I request unanimous consent, if that is necessary, if not I will move that the Clerk read to the Legislature the motion that was made by Senator Warner and the action that was taken by the Legislature so that you might determine whether or not you actually took any action at all.

PRESIDENT: Do you make that motion Senator Duis?

SENATOR DUIS: I ask unanimous consent and if I don't get that then I will have to make a motion.

PRESIDENT: Are there any objections? Seeing none it is so ordered.

SENATOR DUIS: The motion that was made by Senator Warner at the time the committee made their final report to the legislature and then we voted on that motion.

PRESIDENT: Senator Burbach.

SENATOR BURBACH: I think that the charge is in the summons and I don't think that it is the charge of what the Legislature done perse in Senator Warner's motion. I think that it is in the summons and if we want to we should read that summons again, and then again possibly find out what our charge is. If this is part of the charge then....Mr. President, members of the Legislature, I move that we lay over, LR27 until tomorrow after we leave General File.

PRESIDENT: Are you asking for unanimous consent?

SENATOR BURBACH: Beings the Judiciary Committee will not be here tomorrow, I think we should go ahead and vote on the issue.

PRESIDENT: OK, there are some lights still on. Senator Kelly.

SENATOR KELLY: Mr. President, before I take any time are we still discussing LR27?

PRESIDENT: Correct.

SENATOR KELLY: Mr. President, members of the Legislature, in my reading of 209 this is not far reaching in anyway shape or form. It is nothing more than a necessary procedure. The Attorney General by statute does not have the authority to represent this legislature until he is so instructed by resolution. There is nothing more here than the exact words